

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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JOHNNY HENDERSON,

Petitioner,

v.

Case No. 07-14071

BLAINE LAFLER,

Respondent.

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**ORDER GRANTING PETITIONER'S "MOTION TO HOLD CASE IN ABEYANCE"**

Pending before the court is a "Motion to Hold Case in Abeyance," filed by Petitioner Johnny Henderson on December 15, 2009. For the reasons stated below, the court will grant Petitioner's Motion.

Petitioner is currently serving a life sentence without parole. On September 26, 2007, his attorney, Mark N. Awada, filed a petition for writ of habeas corpus on his behalf. On December 15, 2009, James Sterling Lawrence entered an appearance as counsel for Petitioner. On the same day, he filed the present Motion.

In his Motion, Petitioner requests that the court hold his case in abeyance for 90 days in order to provide his recently retained counsel with a reasonable opportunity to collect and review the records and prepare possible pleadings. (Mot. ¶ 5.) Petitioner observes that his initial counsel took the appellate brief drafted by his appellate counsel, Linda Ashford, and filed it unchanged as his brief in support of his petition for habeas corpus. (*Id.* ¶ 3.) Petitioner also notes that his recently retained counsel is scheduled to argue before the United States Supreme Court on January 20, 2010, and that preparation for this argument will take up a substantial portion of his time. (*Id.* ¶ 7.)

Based on the foregoing, the court finds that there is good cause to hold this case in abeyance. Accordingly,

IT IS ORDERED that Petitioner's "Motion to Hold Case in Abeyance" [Dkt. # 10] is GRANTED. The court will hold the case in abeyance for **90 days** from the date of this order and will not issue any final decision on the petition for habeas corpus during this time.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: December 30, 2009

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, December 30, 2009, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522